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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN EAST TIMOR

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 11 of Security Council resolution 1264 (1999) of 15 September 1999, in which the Council invited the Secretary-General to plan and prepare for a United Nations transitional administration in East Timor, incorporating a United Nations peacekeeping operation, to be deployed in the implementation phase of the popular consultation (phase III), and to make recommendations as soon as possible to the Security Council.

2. This report presents a framework and concept of operations for the United Nations Transitional Administration for East Timor. It also brings up to date developments on the ground and the activities of the United Nations Mission in East Timor (UNAMET) since my last report, of 9 August (S/1999/862).

II. RECENT DEVELOPMENTS

3. Since the announcement of the result of the popular consultation on 4 September, there has been a campaign of violence, looting and arson in East Timor by pro-integration militias, at times with the support of elements of the Indonesian security forces. Many East Timorese were killed. UNAMET local staff was targeted; at least four lost their lives and the fate of many more remains uncertain. The Security Council has been kept abreast of these developments, which proceeded uninterrupted throughout most of the territory, and to which the authorities did not respond effectively, despite commitments made under the 5 May Agreement (A/53/951-S/1999/513, annex I). The violence resulted in the displacement, often by force, of hundreds of thousands of East Timorese from their homes, and the evacuation of foreign observers, international relief workers and journalists. The majority of UNAMET personnel, including local staff, were also evacuated to Darwin, Australia.

4. Numerous efforts were made on the diplomatic front to halt the violence. I spoke directly with President Habibie of Indonesia on several occasions. On 7 September, the Government of Indonesia instituted martial law in East Timor. However, this did not resolve the security situation, as was clearly shown by the ongoing looting and displacement, and continuing militia activity, in Dili and elsewhere in East Timor. From 8 to 12 September, the Security Council's mission travelled to Jakarta and Dili to meet with President Habibie and other key civilian and military officials, and to visit the UNAMET compound.

5. The Security Council mission stated in its report (S/1999/976 and Corr.1, para. 14) that the violence could not have occurred without the involvement of large elements of the Indonesian military and police, and concluded that the Indonesian authorities were either unwilling or unable to provide the proper environment for the peaceful implementation of the 5 May Agreement (para. 19), a state of affairs which had not been altered by the imposition of martial law. The mission's report also highlighted the magnitude of the humanitarian crisis which had befallen East Timor.

Deployment of the multinational force

6. On 12 September 1999, the Government of Indonesia agreed to accept the offer of assistance from the international community to restore peace and security in East Timor and to implement the result of the consultation. Following this development, the Security Council, acting under Chapter VII of the Charter of the United Nations, authorized, by resolution 1264 (1999), the establishment of a multinational force under a unified command structure, to restore peace and security in East Timor, to protect and support UNAMET in carrying out its tasks and, within force capabilities, to facilitate humanitarian assistance operations.

7. Following consultations, facilitated by the Secretariat, between Australia and Indonesia in New York and between the commanders of the multinational force and the Indonesian Armed Forces in Dili, the multinational force began deployment on 20 September 1999 under the command of Major General Peter Cosgrove of Australia. The Force currently consists of 14 countries, and a number of other countries are considering participation. The force is expected to reach a total strength of 8,000 troops. To date, the force is deployed in Dili and Baucau, with a presence in Liquica and Dare.

8. In accordance with the understandings reached at the above-mentioned consultation, the Indonesian Armed Forces undertook to cooperate with the multinational force in the implementation of resolution 1264 (1999) through a Joint Consultative Security Group established in Dili, with the participation of UNAMET.

Redeployment of the United Nations Mission in East Timor

9. The redeployment of UNAMET is a key priority and is proceeding with the support of the multinational force. As at 4 October, there were a total of 84 UNAMET staff in East Timor, including 36 military liaison officers, 16 civilian police personnel and 32 international staff. UNAMET re-established its headquarters on 28 September, and relocated from the former Australian consulate, where a skeleton staff had operated throughout the crisis period. The compound is guarded by the multinational force. UNAMET has commenced patrolling activities in Dili, and overflown all districts and visited all cantonments of the Armed Forces for the National Liberation of East Timor (Falintil) together with the multinational force. UNAMET personnel have accompanied multinational force-protected convoys to Manatuto and Baucau. Two UNAMET military liaison officers are co-located with the Force deployment in Baucau.

10. Most UNAMET facilities have been heavily damaged or destroyed. The lack of infrastructure on the ground, particularly shelter and utilities, is proving a major challenge as UNAMET re-establishes itself. Every effort is being made to restore the Mission's logistical capability. Until then, however, the re-establishment of the Mission at its pre-consultation level, as well as the resumption of deployment of personnel, will depend upon the availability of logistic support by the Mission and provision of security by the multinational force.

Status of administration and infrastructure

11. In Dili, hardly any buildings were left undamaged. Aerial reconnaissance by the multinational force and UNAMET over most of the cities and towns of East Timor has found the towns of Ainaro and Cassa completely destroyed, while an estimated 70 per cent of Atsabe, Gleno, Lospalus, Maliana, Manatuto and Oecusoe has been burned down or levelled. Extensive damage is also reported in Suai and Liquica. In Vineque, an estimated 20 per cent of the town was destroyed. The force and UNAMET have visited Baucau, where damage to the town was found to be relatively minor.

12. The Indonesian authorities have informed me that the Indonesian Armed Forces have reduced their strength to around 1,200 personnel, all reportedly deployed in Dili. UNAMET and the multinational force observed withdrawing soldiers setting fire to buildings and equipment, including their own facilities, and causing damage to infrastructure. This type of activity is widely reported around the territory. Minimum key technical services are functioning, although with strong potential for collapse. According to the Armed Forces, electricity is being run by a small group of pro-integration East Timorese, who are increasingly concerned about their safety. Telecommunications are under the protection of the Armed Forces although they are not operating the service. There is no commercial activity. Of the three radio stations previously operational in the area of Dili, only the radio station operated by the Catholic church remains intact, but without power or staff.

13. The Indonesian police also appear to have withdrawn from the territory. In Dili, there is a token presence of 12 persons, comprising senior officers, investigators and basic administrative staff, as well as a special unit of about 50 to protect them. There is no other police presence in the territory. The Indonesian police have confirmed that the judicial and detention systems are

not operating. With regard to detainees, the multinational force has established basic, short-term legal and practical provisions for preventive detention, in consultation with UNAMET and the International Committee of the Red Cross (ICRC).

14. On 24 September, Indonesia lifted martial law. On 27 September, the Indonesian Deputy Governor returned to Dili with a small staff and informed UNAMET that a group of Foreign Department officials would arrive shortly to oversee the transition on behalf of the Government of Indonesia, but no continuous presence has yet been established. The Deputy Governor and his staff have no capacity to assume effective administrative authority over the territory, as there are no other administrative officials in Dili or in the rest of the territory. All those officials appear to have left the territory following the announcement of the results of the popular consultation.

15. Security conditions, while improving, are still precarious. Militia activity continues to be reported throughout the territory. Evidence of killings has been found in several parts of East Timor, but no figures are as yet available on the total number of casualties.

Human rights

16. The High Commissioner for Human Rights visited the region from 10 to 13 September to assess the situation and to discuss with the authorities concerned actions necessary to ensure the protection of human rights.

17. In its resolution 1264 (1999), the Security Council condemned all acts of violence in East Timor, called for their immediate end and demanded that those responsible for such acts be brought to justice. On 27 September, the Commission on Human Rights, at a specially convened session, adopted a resolution calling for the establishment of an international commission of inquiry, with adequate representation of Asian experts. In cooperation with the Indonesian National Commission on Human Rights and thematic rapporteurs, the International Commission will systematically gather and compile information on possible violations of human rights, and acts which may constitute breaches of international humanitarian law, committed in East Timor since the announcement in January 1999 of the vote. I have entrusted the Office of the United Nations High Commissioner for Human Rights with the establishment of the Commission, and requested that it submit its report to me by 31 December 1999. The report will be made available to the Security Council as called for by the Commission on Human Rights.

Humanitarian crisis

18. A Humanitarian Coordinator a.i. for the East Timor crisis was appointed on 11 September. He and other humanitarian relief partners are working in close cooperation with the multinational force to ensure that relief operations are carried out with appropriate logistic and security support. Civilian-military coordination units have been established in Darwin and Dili. A Humanitarian Operations Centre has been established in Dili to support the activities of United Nations agencies, non-governmental organizations and ICRC, which are all active in East Timor.

19. A preliminary United Nations inter-agency assessment of the humanitarian situation in East Timor, issued on 27 September, estimates that, of the total pre-ballot population of 890,000, over 500,000 people have been displaced by the recent violence, including some 150,000 to western Timor. Internally displaced persons are gradually returning to those areas secured by the multinational force.

20. Humanitarian assistance priorities identified by the recent inter-agency assessment are in the food, health, shelter, water and sanitation sectors. Access to and protection of displaced persons and their return to their homes remain primary concerns of the ICRC/International Federation of Red Cross and Red Crescent Societies, and the United Nations High Commissioner for Refugees, who visited the region from 18 to 21 September. In the medical and water and sanitation sectors, relief efforts will concentrate on restoring primary health-care services and the re-establishment of the central hospital in Dili, under the auspices of ICRC, the United Nations Children's Fund and the World Health Organization. The World Food Programme has initiated regular food drops of humanitarian daily rations to provide emergency sustenance to concentrations of internally displaced persons.

III. URGENT MEASURES

21. On 28 September, at a tripartite meeting with the Ministers for Foreign Affairs of Indonesia and Portugal, Ali Alatas and Jaime Gama, the questions of the vacuum of authority, the return of East Timorese refugees and other humanitarian problems, and the establishment of the United Nations Transitional Administration were discussed. At that meeting, and also at a subsequent meeting between Mr. Alatas and the Secretariat, it was agreed that ad hoc measures were required to fill the gap created by the early departure of the Indonesian civil authorities.

22. The situation in East Timor is critical. This is becoming increasingly evident with the deployment of the multinational force and the redeployment of UNAMET. The civil administration is no longer functioning. The judiciary and court systems have ceased to exist. Essential services, such as water and electricity, are in real danger of collapse. There are no medical services, and hundreds of thousands of displaced persons are in dire need of emergency relief. These are critical issues, which must be addressed even before the full deployment of the United Nations Transitional Administration.

23. In order to address the situation, and after consulting with the parties to the 5 May Agreement, it is necessary to urgently envisage the following practical steps:

(a) The full deployment of 460 civilian police officers will be carried out as a matter of priority, security and logistic conditions permitting. They will provide advice to the multinational force, which is given a broad mandate to restore peace and security by Security Council resolution 1264 (1999). At the same time they will prepare to assume the responsibility for law and order. The civilian police will also make necessary preparations for the selection, recruitment and training of East Timorese police personnel, which should be commenced as soon as possible;

(b) There is an urgent need to provide immediate legal advice and to assess the legal and judicial systems, including existing laws and other information which would be necessary in devising a properly functioning administration of justice. For these purposes, legal experts will be dispatched shortly to East Timor;

(c) Civil affairs officers and experts in local administration will be deployed to all 13 districts. The deployment of these officers will be carried out with the same priority as the deployment of the civilian police. They will make the necessary preparations for setting up an administration in all parts of East Timor. Human rights officers will also be deployed to address issues related to the rule of law and human rights.

24. The United Nations has requested Member States to provide service packages and sectoral experts in critical utility sectors. I appeal to Member States to respond urgently and generously to this request. I will pursue the early planning and deployment of sectoral experts.

IV. PROPOSED UNITED NATIONS TRANSITIONAL ADMINISTRATION

25. At the tripartite meeting on 28 September with the Ministers for Foreign Affairs of Indonesia and Portugal, the two Governments reiterated their agreement for the transfer of authority in East Timor to the United Nations, in accordance with article 6 of the 5 May Agreement.

26. Accordingly, it would be my intention, subject to the concurrence of the Security Council, to establish a United Nations Transitional Administration in East Timor (UNTAET), which would be endowed with the overall responsibility for the administration of East Timor, and would be empowered to exercise all legislative and executive authority, including the administration of justice.

27. UNTAET, as an integrated, multidimensional operation, would need to be fully responsible for the administration of the territory of East Timor during its transition to independence, in accordance with the outcome of the popular consultation. It is envisaged that the process will take two to three years. In fulfilling its responsibilities, UNTAET will operate under the authority of the Security Council, vested in the Secretary-General and exercised by the Special Representative. The Special Representative of the Secretary-General will be responsible

for all aspects of the United Nations work in East Timor, including functions entrusted to seconded personnel.

28. To establish the conditions for sustainable peace and to facilitate the transition of East Timor to independence, it is proposed that UNTAET be entrusted with a robust mandate containing the following elements:

(a) To provide security and maintain law and order throughout the territory of East Timor;

(b) To establish an effective administration;

(c) To assist in the development of civil and social services;

(d) To ensure the coordination and delivery of humanitarian assistance, rehabilitation and development assistance;

(e) To support capacity-building for self-government;

(f) To assist in the establishment of conditions for sustainable development.

29. To implement this mandate UNTAET will have the following objectives:

(a) To assist and protect East Timorese displaced or otherwise affected by the conflict;

(b) To facilitate the emergency rehabilitation and reconstruction of services and infrastructure;

(c) To administer the territory of East Timor and create the basis for good governance;

(d) To develop mechanisms for dialogue at the national and local levels;

(e) To assist the East Timorese in the development of a constitution;

(f) To organize and conduct elections and build the institutional capacity for electoral processes;

(g) To undertake confidence-building measures and provide support to indigenous processes of reconciliation;

(h) To create non-discriminatory and impartial institutions, particularly those of judiciary and police, to ensure the establishment and maintenance of the rule of law and to promote and protect human rights;

(i) To promote economic and social recovery and development, including in the fields of education and health;

(j) To coordinate assistance to East Timor;

(k) To develop administrative institutions that are accountable, transparent and efficient;

(l) To facilitate the strengthening and development of civil society, including the media;

(m) To ensure that the development of any indigenous structures for security conform to the standards of civilian oversight, democratic accountability and international human rights norms and standards;

(n) To create conditions of stability through the maintenance of peace and security, including through programmes for disarmament, demobilization and reintegration, as may be necessary.

30. The effectiveness of UNTAET will rest on its ability to perform its duties in close consultation and cooperation with the people of East Timor, as it will have to exercise its authority on their behalf. In this context, the establishment of a permanent dialogue with representatives of the East Timorese people will be essential. Pending the holding of elections, the Special Representative will establish advisory bodies at all levels to ensure the participation of the East Timorese in the governance and administration of the territory. UNTAET will operate on the principle of capacity-building and maximal use of existing structures, institutions and human resources.

31. In accordance with Security Council resolution 1265 (1999), UNTAET personnel will have appropriate training in human rights and international humanitarian law, including child and gender-related provisions.

A. Powers of the Transitional Administration

32. To ensure stability, the underlying premise of the legislative power of UNTAET will be the continuing applicability of the existing law of East Timor, to the extent of its compatibility with the mandate of the Transitional Administration and its consistency with international

standards of human rights. The Special Representative will have the power to enact new laws and regulations and to amend, suspend or repeal existing ones.

33. As local institutions, including the court system, have for all practical purposes ceased to function, with the Indonesian civil service, police service, judges, prosecutors and other members of the legal profession having left the territory, the Transitional Administration will be entrusted with the task of rebuilding a structure of governance and administration capable of providing basic public services and a fully functioning administration of justice.

34. The establishment of a civil administration, including the administration of justice, will be focused on building local capacity of East Timorese to assume responsibility for their own governance. In the appointment of officials and civil servants, this principle will be given full effect.

35. The United Nations will conclude such international agreements with States and international organizations as may be necessary for the carrying out of the functions of UNTAET in East Timor.

36. UNTAET will also establish a mechanism for consultation with Portugal, given its special responsibilities.

37. Consultations will also be organized with Indonesia, as necessary.

B. Structure of the Transitional Administration

38. Under the overall authority of the Special Representative of the Secretary-General, UNTAET will comprise three main components, namely, a governance and public administration component; a humanitarian assistance and emergency rehabilitation component; and a military component. The structure of these components will be reviewed by the Special Representative as necessary, in the light of developments.

Executive Office of the Special Representative of the Secretary-General

39. The Special Representative will be the Transitional Administrator, and will be responsible for all political, managerial and representational functions of the mission. The Special Representative will be assisted in these responsibilities by two Deputy Special Representatives, and a Chief of Staff. The two Deputy Special Representatives will head the governance and public administration and the humanitarian assistance and emergency rehabilitation components. The Special Representative will also be assisted by the Force Commander, who will head the military component.

40. An Executive Committee, whose membership will include the Deputy Special Representatives, the Chief of Staff and the Force Commander, will be formed and chaired by the Special Representative. The Committee will assist the Special Representative in fulfilling her/his responsibilities and will be the main instrument through which the Special Representative will direct the implementation of the mandate of UNTAET.

41. In the exercise of her/his duties, the Special Representative will be advised by offices for political, legal, constitutional and electoral and human rights affairs.

42. The Special Representative will facilitate the creation of an independent East Timorese human rights institution, whose functions will include the investigation of alleged violations of human rights; the conduct of public inquiries; the provision of guidance and assistance to the Special Representative and nascent Timorese governing institutions; and the development of curricula and other tools for human rights education.

43. A spokesperson and a public information office, which will ensure that the East Timorese and the international media are fully informed of UNTAET policy and actions, will also assist the Special Representative. The public information office will work with the components of the Transitional Administration to foster the development of democratic media and to promote understanding and respect for human rights standards and institutions.

44. UNTAET will require a substantial administration component. A Chief Administrative Officer will report to the Special Representative and be responsible for effective logistical and administrative support to UNTAET.

45. UNTAET will need to have liaison offices, including military liaison officers, with the approval of the relevant Governments, in Jakarta, Kupang (Western Timor), Lisbon and Darwin.

C. Main components of the mission

1. Governance and public administration component

46. The Deputy Special Representative for Governance and Public Administration will be appointed to oversee the development of governance, administrative and rule of law institutions to serve East Timor. She/he will have two core objectives, namely, to lay the foundations for sustainable institutions of an independent East Timor, and to design an agenda for sustainable economic and social development. The Deputy Special Representative will be assisted by governance, human rights and legal advisory staff. Additionally, a civil affairs unit will assist in the drafting of regulations required for the implementation of the administrative functions of UNTAET. The Deputy Special Representative will also be responsible for the management of the East Timorese public administration budget.

47. In all elements of the functioning of the governance and public administration elements of UNTAET, the United Nations will work on the basis of the principles of participation and capacity-building. This will involve assigning East Timorese to positions within the transitional administrative structures to be established, where qualified individuals are available and can be identified. Where such persons are not available, UNTAET will nevertheless assign East Timorese to serve in positions inside the administrative structures together with international counterparts, and deliver sufficient training and capacity-building to enable these persons gradually to replace international staff. This will allow for the development, throughout the duration of UNTAET, of a cadre of well-trained East Timorese capable of performing the administrative and public service functions necessary to support an independent East Timor.

48. In developing and performing its functions in this area, UNTAET will draw fully on the expertise and capacity of Member States and United Nations agencies and other international organizations, as well as those of the international financial institutions. This will ensure the consistency and continuity of the capacity-building and development effort beyond the time-limited mandate of UNTAET.

49. The Deputy Special Representative for Governance and Public Administration will oversee the work of five divisions: Judicial Affairs; Civilian Police; Economic, Financial and Development Affairs; Public Services; and Electoral Operations. Additionally, the Deputy Special Representative will oversee the work of district administrators.

(a) Judicial affairs

50. There will be four major areas of responsibility under judicial affairs: the administration of courts, prosecution services and prisons; the development of legal policies; the review and drafting of legislation for the goals and purposes of UNTAET; and the assessment of the quality of justice in East Timor, including training requirements.

51. The establishment of an independent and impartial judiciary will require immediate action. An independent judicial commission will be established to advise the Special Representative on judicial appointments. For an interim period, judges and prosecutors and public defenders will be appointed to an emergency judicial panel which will hold office until it is possible to conduct an East Timor-wide selection process. While lawyers will need to be recruited internationally, in view of the knowledge and training requirements in the domestic judicial system, UNTAET will endeavour to fill the justice system with professionals recruited from among East Timorese, to the largest extent possible.

52. Newly appointed judges, prosecutors and other judicial officials should receive continuous training, particularly in the area of the application of international instruments on human rights. In addition, it will be important to provide immediate "quick start" training programmes in domestic and international law.

53. The Judicial Affairs Division will also re-establish and reform the correctional system in East Timor, in a legal and operational framework applying internationally accepted standards.

UNTAET will assign and train staff for these facilities, applying international standards regarding prison administration and human rights.

54. UNTAET will initiate a process to amend current legislation in East Timor, as necessary, including criminal law, the law on internal affairs and the law on public peace and order, in a way consistent with the mandate and purposes of UNTAET and international human rights standards, and in consultation with the East Timorese.

55. UNTAET will also establish a land and property rights commission to review issues relating to legislation and documentation, as well as to provide mechanisms for redress of abuses.

56. Prior to the transfer of authority to an elected government, UNTAET must also be prepared to develop such legislation and documentation procedures as will be necessary to establish an independent East Timor.

(b) Civilian police

57. Two major goals will define the law and order strategy of UNTAET: the provision of interim law enforcement services and the rapid development of a credible, professional and impartial East Timor police service. To achieve these goals, UNTAET will deploy international police personnel, commanded by a Police Commissioner, who will report to the Special Representative through the Deputy Special Representative for Governance and Public Administration.

58. The major tasks of the United Nations police will be to maintain law and order; to recruit, train and establish an East Timor police force; and, at the request of the Deputy Special Representative for Humanitarian Assistance and Emergency Rehabilitation, to monitor and assist the safe return of displaced persons and refugees; and any other tasks that may be necessary.

59. The United Nations police will comprise three units of international police, with a total strength of some 1,640 police officers. A civilian police unit will consist of 1,250 officers holding executive enforcement functions and will be deployed throughout East Timor. They will carry side arms on law enforcement duty when deemed necessary by the Police Commissioner. An armed border/marine police unit of 150 officers will be deployed to designated border crossing points along the borders of East Timor and its north and south shores. Two armed rapid reaction units consisting of 120 officers each will be deployed on a national contingent basis. The units will provide specialized capabilities for crowd control and operational support, and standby rapid response capacity to the civilian police unit.

(c) Economic, financial and development affairs

60. The main functions of the Division will be to plan and monitor the economic and social reconstruction of East Timor, in close consultation with the East Timorese; to prepare and evaluate policies and to set up institutions in the economic, social and financial fields; and to coordinate with the various donors and international financial institutions the resource mobilization efforts of UNTAET. Through the Division, the Special Representative will seek to facilitate the creation of a viable economy and to develop a comprehensive approach to the economic and social development of East Timor.

61. The Division will design a short-term quick impact plan to address pressing institutional and development needs. It will also prepare, in full consultation with the East Timorese, a development framework that will identify priorities and guide the design and implementation of a medium-term macroeconomic framework, sectoral policies and programmes, a short-term public investment programme and the annual budgets. The Department will work to ensure that spending priorities within UNTAET are based on a proper fiscal and monetary policy and on development goals and targets agreed upon in consultation with representatives of East Timor.

62. Programmes will include investment in human and social resources development, capital infrastructure and agricultural development. Community development and livelihood creation must also be a focus. Financial support will be obtained with the assistance of foreign donors in

the first instance and from domestic sources, including public revenue collection, as and when possible.

63. The Division will coordinate the design and implementation of a plan for the reintegration of former combatants into civilian life.

64. The Division will promote the participation of the people of East Timor in the formulation and implementation of its policies and programmes.

(d) Public services

65. The Public Services Division will establish governmental structures necessary for the sustainable delivery of public services, including in the realms of health, water, sanitation, public information, post and telecommunications, port and airport management, social protection and education. UNTAET will oversee the activities of these services.

66. In the districts, Division staff will oversee the implementation of policy directives, report on the effectiveness of local bodies and exercise executive authority where necessary.

(e) Electoral operations

67. The focus of the Electoral Operations Division will be twofold, namely, institutional capacity-building and organizing and overseeing the next elections.

68. UNTAET will assist with the development of democratic processes and institutions of governance, specifically, the development of an appropriate electoral foundation for East Timor. This will include assistance to the Timorese in developing an electoral system, including its legal and regulatory framework, and building Timorese institutional and technical capacity to hold elections and sustain an electoral system. A number of specialized electoral or governance experts will function as a planning unit for the organization and monitoring of future elections.

(f) District administrators

69. A District Administrator will be appointed by the Special Representative to each district in the territory. The district administrators will, primarily, oversee the work of the governance and public administration component at the district level. They will also coordinate, on behalf of the Special Representative, all UNTAET activities at the district level and perform any other tasks as directed by the Special Representative.

2. Humanitarian assistance and emergency rehabilitation component

70. The Deputy Special Representative for Humanitarian Assistance and Emergency Rehabilitation will oversee the provision and coordination of humanitarian and emergency rehabilitation assistance. These activities will be undertaken within the framework of the United Nations Consolidated Appeal for the East Timor Crisis.

71. The responsibilities of the Deputy Special Representative will be to ensure the comprehensive delivery of multisectoral humanitarian assistance to all those affected by the recent conflict; to extend protection to and facilitate the voluntary return and reintegration of displaced persons and refugees; and to undertake emergency rehabilitation of critical infrastructures and services to promote social well-being and the restoration of civil society.

72. In the performance of these functions, the Deputy Special Representative will build upon and strengthen humanitarian structures currently operating in East Timor, and ensure that the work of the United Nations agencies is fully incorporated into the mission and that there is full collaboration with the international organizations and non-governmental organizations.

3. Military component

73. Paragraph 10 of Security Council resolution 1264 (1999) provides that the multinational force should be replaced as soon as possible by a United Nations peacekeeping operation, and invites the Secretary-General to make prompt recommendations in this regard. Close cooperation with the multinational force and with troop contributors will be pursued to ensure a smooth transition.

74. In accordance with paragraph 11 of the resolution, the peacekeeping operation will be incorporated into UNTAET and form the military component of the mission. It will consist of two complementary elements, the United Nations force and a military observer group.

75. The tasks of the United Nations force would be to maintain a secure environment throughout the territory of East Timor, to provide direct security for United Nations personnel and property, to monitor the prompt and complete withdrawal of any remaining Indonesian military and security personnel, to take measures to disarm and demobilize armed groups and to assist humanitarian activities as appropriate, including the safe return of refugees and internally displaced persons.

76. To accomplish these tasks, a force consisting of a headquarters, two infantry brigades of a total of seven infantry battalions and appropriate support units with a total strength of up to 8,950 troops is foreseen. The overall strength of the military component could be adjusted, if and when the situation stabilizes.

77. The United Nations force will need to have robust rules of engagement and a rapid reaction capability in order to carry out its responsibilities.

78. Furthermore, a group of up to 200 military observers will be required at the initial stage. These observers will be deployed throughout the territory and will monitor and report on the military and security situation in East Timor, as well as the process of cantonment, disarmament and demobilization of armed groups.

V. RECOMMENDATIONS AND CONCLUSIONS

79. In accordance with the 5 May agreements, the United Nations was able to conduct the popular consultation successfully, albeit under very difficult conditions, and to give the people of East Timor a historic opportunity to decide their own future. Despite various disruptions during the process, the ballot itself was conducted peacefully. It was hoped that the outcome would be respected by all concerned and implemented without resistance. Unfortunately, this hope was not fulfilled because of the violent and shocking campaign unleashed by those who refused to accept the free and unequivocal choice made by the overwhelming majority of the people of East Timor.

80. The implementation of the 5 May agreements has been significantly affected by the violence and destruction which have engulfed East Timor. Under those agreements, the United Nations expected an orderly transfer of authority from the Government of Indonesia, which had undertaken to maintain law and order during the interim period. This is no longer the case. As indicated in paragraphs 11 to 14 above, civil administration in East Timor has collapsed. The judicial system has ceased to function. Indonesia has already transferred the responsibility for law and order to the multinational force. However, as the force cannot fill the vacuum created in civil administration, practical measures must be taken immediately.

81. I have set out in section IV above proposals regarding the mandate and structure of UNTAET. I recommend that the Security Council approve these proposals and authorize me to take the necessary steps for the timely deployment of the various components of UNTAET.

82. I will inform the Council of the financial implications of the present report in due course.

83. The establishment of UNTAET will be a major challenge for the United Nations. Its success will depend on the strong and continuing support and cooperation of the international community. The tasks of UNTAET as described in this report will require substantial personnel resources, which are not available within the Secretariat. I call on all Member States as well as the United Nations agencies and programmes and the international financial institutions to provide experts and other necessary personnel.

84. UNTAET will carry out a number of tasks which would need to be funded by voluntary contributions. A trust fund will be established for this purpose. The trust fund will be used, inter alia, to cover the cost of rehabilitation of essential infrastructure, the functioning of public services and utilities, and the salaries of the local civil servants. I call on Member States to contribute to the trust fund generously on an urgent basis, bearing in mind the vital importance of ensuring adequate financing of these costs for the proper functioning and effectiveness of the Mission.

85. The international and local personnel of UNAMET have shown admirable courage and determination in enabling the people of East Timor to choose their destiny. They have worked under conditions of severe physical hardship and insecurity. Some of them lost their lives in the process. I wish to place on record my deep gratitude to all of them and to extend my condolences to the families of those who made the ultimate sacrifice. I should also like to express my sincere appreciation to Ian Martin, my Special Representative, for his dedicated leadership of UNAMET throughout this difficult period.